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SEP 28 2006

Telephonic Interview

The Examiner and the Applicant's representative engaged in a telephonic interview on September 26, 2006. In that interview, the Applicant's representative questioned the teachings of the Uranaka reference with respect to assigning points to a user account and, further, the propriety of the Examiner's inherency argument with respect to a disc identifier. The Examiner requested those remarks be submitted in writing for further consideration.

Assigning Points to a Point Account

The Examiner contends that Uranaka discloses the allocation of points to a point account associated with the disc identification at col. 7, l. 58-66; col. 8, l. 65-col. 9, l. 1. See Final Office Action, 3.

Uranaka, as cited, has no discussion of assigning points.

The referenced portions of Uranaka concern volume tables populated with volume and issue number information, application package information, and user identification information.

Again, there is no discussion whatsoever concerning points and allocation of the same to a point account.

An Application Identifier is Not a Disc Identifier

While the cited Uranaka reference teaches an application identifier that relates to a software application, there is no disclosure of a disc identifier that pertains to a disc storage medium.

The Examiner contends that an identifier, which identifies the content recorded on the disk, is inherently identifying the disc. The Applicant's representative respectfully disagrees.

Uranaka's application identifier does not inherently teach that the identifier does, in fact, identify the disc. The argument that an identifier aimed at identifying specific applications on a disc inherently identifies the disc itself ignores, for example, content mixtures or re-mixtures; discs having bundled applications with multiple identifiers; and the user's ability, in certain cases, to rearrange, add or delete content—and thus delete the supposed disc identifier—from certain discs.

Furthermore, the Examiner has provided no factual or technical basis why the application identifier necessarily identifies the disc. See *Ex parte Levy*, 17 USPQ2d at 1464. As such, the Applicant contends the Examiner's inherency argument is in error.

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CONCLUSION

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The Applicant has distinguished the independent claims from the cited Uranaka reference.

Uranaka has no teaching—inherent or express—with regard to assigning points to a point account.

Uranaka fails to inherently disclose a disc identifier.

Uranaka therefore fails to disclose each and every element of the Applicant's claimed invention.

The Examiner is invited and encouraged to contact the Applicant's representative with any further questions or comments in this matter.

Respectfully submitted,
Masayuki Chatani

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By:

Kenneth M. Kaslow

Kenneth M. Kaslow (32246)

Carr & Ferrell LLP

2200 Geng Road

Palo Alto, CA 94303

P: 650.812.3400

F: 650.812.3444